

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **McArdle** §
§
§
Serial No.: **10/645,039** § Group Art Unit: **2165**
§
Filed: **August 21, 2003** § Examiner: **Syed, Farhan M.**
§
For: **Method and Apparatus for Enabling** § Attorney Docket No.: **AUS920030607US1**
National Language Support of a
Database Engine §
§

**Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

35525
PATENT TRADEMARK
OFFICE CUSTOMER

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
FINAL OFFICE ACTION NOT RECEIVED**

I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Final Office Action forming the basis of the abandonment was not received. I hereby state: (a) the Final Office Action indicated on the Notice of Abandonment, as mailed on January 8, 2008, was not received; and (b) a search of the file jacket and the docket records in my office indicates that this Final Office Action was not received.

I attach a copy of the docket record where the non-received Final Office Action would have been entered had it been received and docketed. As additional evidence of non-receipt of the Final Office Action, I also attach a statement from the legal assistant, Monica Gamez, who would have docketed the Final Office Action had it been received.

In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn, the Final Office Action as mailed on May 21, 2007, according to the USPTO Patent Application Information Retrieval system, be re-dated and mailed so that our office can respond in a timely manner.

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

/Duke W. Yee/
Duke W. Yee
Reg. No. 34,285
Yee & Associates, P.C.
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Dallas, TX 75380
(972) 385-8777
Attorney for Applicant

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In re application of: **McArdle** §
Serial No.: **10/645,039** § Group Art Unit: **2165**
Filed: **August 21, 2003** § Examiner: **Syed, Farhan M.**
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Enabling National Language Support § Attorney Docket No.: **AUS920030607US1**
of a Database Engine §

AFFIDAVIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Monica Gamez, being of sound mind and legal age, and fully aware of the punishable nature of making untrue statements as Affiant herein, do hereby attest to personal knowledge of the following:

I am employed by the law firm of Yee & Associates, P.C. (the "Firm"), as a Legal Assistant, in which capacity I personally receive all client related materials requiring further action and docketing on behalf of the Firm and IBM Corporation (the "Client").

On the mailing date of the Final Office Action in question, May 21, 2007, I was employed full time by the Firm and have no record of receipt of said Final Office Action. The Firm received a telephone call from the Examiner inquiring of the status of the response to the May 21, 2007 Final Office Action. At that time, I immediately contacted the Client to inform them of this situation and to ask if they had received a copy of the Final Office Action instead. They notified me that they had not received the Final Office Action.

When a final office action is received, I enter the final office action on the Firm's master docket and also enter the final office action on the Firm's internal docketing system which produces a Case History Report. Receipt of the final office action is neither indicated on the Case History Report nor on the case file index attached hereto.

Sworn to and attested as follows at Dallas, Texas on Friday, January 18, 2008:

AFFIANT:

Monica Gamez

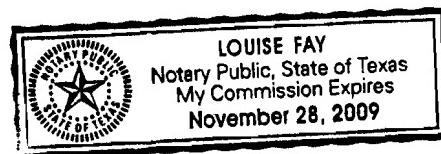
Monica Gamez

On this the 18th day of January, 2008, personally appeared before me Monica Gamez, to me known to be the person named in and who executed the above instrument, and acknowledged that she executed the same for the uses and purposes therein mentioned.

Louise Fay
(Notary Public)

My commission expires: 11/28/09

(seal)



To the Chairman, House Select Committee on Technology, Science and Space, U.S. House of Representatives

U.S. Patent Case (Record Based Application Number)

Record Other Screens Save Contact Forms Help

Case Management Application Type

Sr Atty: DWY Pri Atty: Admin: KDD EFS Filed

Case No: AU5920030607US1 Client ID: BIBH1 List

App Serial No: 10/645,039 Filing Date: 8/21/2003 Status: Pending

Title: Method and Apparatus for Enabling National Language Support of a Database Engine

Date Iss/Abn: Patent No: Patent Expiration Date:

Client Case: Exp Date Adjusted

Reminder List for this Case

Item	Who	Due Date

There are no Reminder Items for this Case

Priority Case: Priority Date: 08/21/2003 WMC

Accelerated Examination

SEARCHED INDEXED
SERIALIZED FILED
U.S. Patent Case Re.

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Office Action Record (Looked In/Out by your unit/DO)															
Record Save References Reminders Electronic Files Forms Help															
Case No: AU5920030607US1	Country: USA														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">Dates / Response</th> <th style="width: 50%;">Notes / FlexFields / Non-Compliant Response</th> </tr> <tr> <td> ex Parte Quale <input type="checkbox"/> Date Mailed: 12/15/2006 </td> <td>Examiner _____</td> </tr> <tr> <td> Restriction Req. <input type="checkbox"/> Date Received: 12/18/2006 </td> <td>Name: _____</td> </tr> <tr> <td> Final <input type="checkbox"/> Date Due: 3/15/2007 </td> <td>Phone: _____</td> </tr> <tr> <td> Received Conf. <input checked="" type="checkbox"/> Last Date to File: 6/15/2007 </td> <td>Fax: _____</td> </tr> <tr> <td> Response <input checked="" type="checkbox"/> Date Sent/Abandoned: 3/15/2007 </td> <td>Art Unit / Office: _____</td> </tr> <tr> <td> Fax/Emailed <input checked="" type="checkbox"/> Date Received in Patent Office: 3/15/2007 </td> <td></td> </tr> </table>		Dates / Response	Notes / FlexFields / Non-Compliant Response	ex Parte Quale <input type="checkbox"/> Date Mailed: 12/15/2006	Examiner _____	Restriction Req. <input type="checkbox"/> Date Received: 12/18/2006	Name: _____	Final <input type="checkbox"/> Date Due: 3/15/2007	Phone: _____	Received Conf. <input checked="" type="checkbox"/> Last Date to File: 6/15/2007	Fax: _____	Response <input checked="" type="checkbox"/> Date Sent/Abandoned: 3/15/2007	Art Unit / Office: _____	Fax/Emailed <input checked="" type="checkbox"/> Date Received in Patent Office: 3/15/2007	
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Type of Amendment/Response <p> <input type="radio"/> Amendment/Remarks <input type="radio"/> CPA <input type="radio"/> RCE <input type="radio"/> Appeal <input type="radio"/> Preliminary Amendment <input type="radio"/> Withdrawn by PTO <input type="radio"/> Examiner Amendment </p>															
Advisory Action <p> <input type="checkbox"/> Expected <input type="checkbox"/> Received </p>															
<input type="checkbox"/> Continue to Show Last Date to File Reminder															
<input type="button" value="Print"/>															

Patent Case History

Case Management			Case Type: US Patent
Sr Atty: DWY	Pri Atty:	Admin: KDD	
Case No: AU5920030607U	Client ID: BIBM1	Client Case:	
Serial No: 10/645,039	Filing Date: 8/21/2003	Status: Pending	
Title: Method and Apparatus for Enabling National Language Support of a Database Engine			
Date Iss/Abn:	Patent No:	Patent Expiration Date:	
Reminder List			
Item	Due Date	Done Date	▲ ▼
File New Application-USA	8/21/2003		
Office Action Received-USA	2/24/2006	2/24/2006	
Response Sent-USA	5/24/2006	5/22/2006	
Office Action Postcard Due-USA	6/22/2006	Received	
Office Action Received-USA	8/23/2006	8/23/2006	
Response Sent-USA	11/24/2006	11/21/2006	
Office Action Received-USA	12/15/2006	12/15/2006	
Office Action Postcard Due-USA	12/21/2006	Received	
Response Sent-USA	3/15/2007	3/15/2007	
Office Action Postcard Due-USA	4/15/2007	Received	

Priority Case No: **Merge Form:**

■ Patent Case History

Case Management Case Type: US Patent

Sr Atty: DWY Pri Atty: Admin: KDD

Case No: AU5920030607U Client ID: BIBM1 Client Case:

Serial No: 10/645,039 Filing Date: 8/21/2003 Status: Pending

Title: Method and Apparatus for Enabling National Language Support of a Database Engine

Date Iss/Abn: Patent No: Patent Expiration Date:

Reminder List

Item	Due Date	Done Date
Response Sent-USA	5/24/2006	5/22/2006
Office Action Postcard Due-USA	6/22/2006	Received
Office Action Received-USA	8/23/2006	8/23/2006
Response Sent-USA	11/24/2006	11/21/2006
Office Action Received-USA	12/15/2006	12/15/2006
Office Action Postcard Due-USA	12/21/2006	Received
Response Sent-USA	3/15/2007	3/15/2007
Office Action Postcard Due-USA	4/15/2007	Received
Receive Next Office Action-USA	7/15/2007	

Priority Case No: Merge Form

IBM CORPORATION
AUS920030607US1

**METHOD AND APPARATUS FOR ENABLING NATIONAL LANGUAGE SUPPORT
OF A DATABASE ENGINE**

1.	PATENT APPLICATION FORMAL DRAWINGS IDS	08/21/03
2.	FILING RECEIPT	08/21/03
3.	NOTICE OF RECORDATION	08/21/03
4.	NOTICE OF PUBLICATION OF APPLICATION	02/24/05
5.	OFFICE ACTION	02/24/06
6.	RESPONSE TO OFFICE ACTION	05/22/06
7.	FINAL OFFICE ACTION	08/23/06
8.	RESPONSE TO OFFICE ACTION	11/21/06
9.	OFFICE ACTION	12/15/06
10.	RESPONSE TO OFFICE ACTION	03/15/07